

Chapter 318

SNOWMOBILES AND ALL-TERRAIN VEHICLES

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[HISTORY: Adopted by the Town Board of the Town of Washington 1-9-2006 by Ord. No. 2006-1. Amendments noted where applicable.]

GENERAL REFERENCES

Vehicles and traffic — See Ch. 346.

§ 318-1. General use.

A. Speed limit and location.

- (1) No person shall operate a snowmobile or ATV within the Town or on any designated route in a manner showing excessive and unreasonable speed for the conditions.
- (2) No one shall operate a snowmobile or ATV in excess of any posted snowmobile speed sign limits, or in excess of posted speed limits for vehicles.
- (3) No one shall operate a snowmobile or ATV in a business area — Main Road between Michigan Road and Town Line Road — at more than 10 miles per hour.
- (4) No person shall operate a snowmobile or ATV on any part of the Town municipal airport at any time, or on school property, cemeteries, church property, State Natural Areas, Jackson Harbor Ridges, or any place prohibited under Ch. 350, Wis. Stats.

- B. Restriction on equipment. No snowmobile or ATV or other vehicle operating on a snowmobile or ATV route shall be allowed if it has an expansion chamber or any muffler other than the type and size provided by the manufacturer. Each snowmobile or ATV must display a lighted headlight and taillight at all times and said lights must conform to the requirement of § 350.09 of the Wisconsin Statutes.

§ 318-2. Unattended vehicles.

No person shall leave or allow a snowmobile or ATV owned or operated by him or her to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.

§ 318-3. Town roadway shoulders; sidewalks and pedestrian ways.

It shall be permitted for snowmobiles and ATVs to operate on the shoulders of Town roadways if done safely and if consistent with § 318-1A(1) through (4) and without damage to persons and property. No person shall operate a snowmobile or ATV upon any sidewalk or pedestrian way, except as specifically authorized for the purpose of crossing to obtain immediate access to an authorized area of operation.

§ 318-4. Restrictions on operators.

No person under the age of 12 years may operate a snowmobile or ATV unless the person is accompanied either by a parent or guardian or by a person over 18 years of age. For the purpose of this section "accompanied" means being on the same snowmobile or ATV as the operator. No person over the age of 12 years but under the age of 16 years may operate a snowmobile or ATV unless he or she holds a valid snowmobile or ATV safety certificate or is accompanied by a person over 18 years of age or by a person over 14 years of age having a snowmobile/ATV safety certificate. Any person who is over the age of 12 and under the age of 16 who holds a snowmobile/ATV safety certificate shall carry it while operating a snowmobile or ATV and shall display it to a law enforcement officer on request.

§ 318-5. Curfew.¹

No person under the age of 18 years shall operate a snowmobile or ATV in the Town of Washington between the hours of 12:00 midnight and 5:00 a.m. the following day unless accompanied on the vehicle by a parent, guardian, adult relative, or other adult person having actual care, custody and control of such child.

§ 318-6. Accidents and accident reports.

- A. If he or she can do so without serious danger to his or her own snowmobile or ATV, or to persons on board, the operator of a snowmobile or ATV involved in a snowmobile or ATV accident within the Town of Washington shall stop his or her snowmobile or ATV and render to other persons affected thereby such assistance as may be practicable and necessary to save them from or minimize any danger caused by the accident; and shall give his or her name and address and identification of his or her snowmobile or ATV to any person injured and to the owner of any property damaged in the accident.²

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- B. If the snowmobile or ATV accident results in death or injury to any person or total property damage in excess of \$200, every operator of a snowmobile or ATV involved in such accident shall, as soon as possible, notify the appropriate law enforcement agency of the accident and shall, within 10 days after the accident, file a written report thereof with the agency on forms prescribed by it.³
- C. If the operator of a snowmobile or ATV is physically incapable of making the report required by this section and there was another occupant on the snowmobile or ATV at the time of the accident capable of making the report, he or she shall make such report.
- D. "Snowmobile accident" or "ATV accident" means a collision, accident or other casualty involving a snowmobile or ATV.

§ 318-7. Designated snowmobile or ATV routes.

- A. Routes designated. Except as provided in §§ 350.02 and 350.045, Wis. Stats., or for snowmobile events authorized in accordance with § 350.04, Wis. Stats., no person shall operate a snowmobile or ATV upon any public roadway, right-of-way, sidewalks or pedestrian ways, in any public park, upon any part of the municipal airport in the Town except in the following circumstances:
 - (1) Upon snowmobile or ATV routes that may be designated by the Town Board and placed upon a map available to the public; and
 - (2) In any open area of the Town where the operator is not operating as a trespasser;
 - (3) All Town roads, provided that the snowmobile or ATV is operated only on the shoulder of the road or, if there is no shoulder, on the extreme right edge of the road, and must travel with the flow of traffic.
 - (4) Town employees may operate a Town-owned ATV on the airport property in the performance of their duties, as provided in § 350.10, Wis. Stats.
- B. Conditions for operation. The following conditions apply to the operation of all snowmobiles and ATVs:
 - (1) Snowmobiles or ATVs shall be operated on the shoulder, if available, or on the extreme right side of the roadway, and travel with the flow of traffic.
 - (2) Snowmobiles or ATVs are to be operated in single file.
 - (3) Headlights should be on at all times.
 - (4) Snowmobile or ATV operators shall yield the right-of-way to other vehicular traffic and pedestrians.
- C. Route markers. The Town law enforcement officers may be directed and authorized to procure, erect and maintain appropriate snowmobile or ATV route speed limit signs and markers as approved by the State Department of Natural Resources under § 350.13, Wis.

3. Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. II).

Stats. Town law enforcement officers shall have the power to declare the stated snowmobile or ATV routes either open or closed.

- D. Markers to be obeyed. No person shall fail to obey any route sign, marker or limit erected in accordance with this section.

§ 318-8. Authority; violations and penalties.

- A. Statutory authority. Unless otherwise provided for in this chapter, snowmobiles and ATVs are to be operated in accordance with Ch. 350 and § 23.33, Wis. Stats.⁴
- B. Enforcement. This chapter shall be enforced by any law enforcement officer of the Town, or such other local, county or state law enforcement officers.
- C. Forfeiture. Any person who shall violate any provision of this chapter shall, upon conviction thereof, forfeit not more than \$500, together with the costs of prosecution.
- D. Uniform citation for highway violations. The uniform traffic citation promulgated under § 345.11, Wis. Stats., shall be used for violations of this chapter relating to highway use except as herein provided.

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).